

Not for Publication

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

UNITED STATES OF AMERICA, *ex rel.*,
LAURIE SIMPSON

Plaintiff,

v.

BAYER A.G., *et al.*

Defendants

Civil Action No. 05-cv-03895

ORDER

John Michael Vazquez, U.S.D.J.

This matter comes before the Court by way of the February 11, 2021 Report and Recommendation, D.E. 395, (the “R&R”) of the Special Master, United States District Judge (Ret.) Dennis M. Cavanaugh.¹ The R&R addressed the Defendant’s motion to compel the United States Government, a non-party, to “participate in discovery” as well as the Government’s cross-motion to quash the subpoenas served by the Defendant on (1) the Centers for Medicare and Medicaid Services (“CMS”); (2) the Food and Drug Administration (“FDA”); (3) the Department of Justice (“DOJ”); (4) the Department of Defense (“DOD”); and (5) the Department of Veterans Affairs (“VA”). R&R at 1. The R&R granted in part and denied in part both motions. *Id.*; and it

APPEARING that no objections to the R&R have been received and the time for filing any objections has expired; and it

¹ Pursuant to this Court’s Order, D.E. 328, appointing the Special Master, the Special Master exercises “authority . . . coextensive with those of a Magistrate Judge in the District of New Jersey.” D.E. 328 at 4.

APPEARING that “where no objections are made in regard to a report or parts thereof, the district court will adopt the report and accept the recommendation if it is ‘satisf[ie]d’ . . . that there is no clear error on the face of the record.” *Sportscare of Am., P.C. v. Multiplan, Inc.*, No. 10-4414, 2011 WL 500195, at *1 (D.N.J. Feb. 10, 2011) (quoting Fed. R. Civ. P. 72 Advisory Committee’s Notes); and it

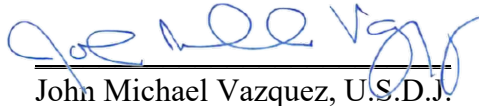
APPEARING that this Court independently reviewed the record and the R&R, and found no clear error on the face of the R&R.

THEREFORE, for the foregoing reasons, and for good cause shown,

IT IS on this 17th day of May, 2021,

ORDERED that the Court adopts the R&R in its entirety as the Opinion of this Court; and it is further

ORDERED that Defendant’s subpoenas are modified as specified in the R&R.


John Michael Vazquez, U.S.D.J.